

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

May 09, 2025

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JACOB JOHNSTON,

Plaintiff,

v.

JOHN/JANE DOE 1-4,

Defendants.

NO: 4:25-CV-05054-RLP

ORDER DISMISSING ACTION

Before the Court is Plaintiff's *pro se* Motion titled, "Dismissal Request Do Out of East District Jurisdiction," construed as a Motion to Voluntarily Dismiss. ECF No. 5. Plaintiff, an individual incarcerated at the Washington State Penitentiary, submitted a civil rights complaint on May 2, 2025. ECF No. 1. He did not pay the filing fee or seek leave to proceed *in forma pauperis*. Defendants have not been served.

Plaintiff indicates that his case was intended to be filed in the Western District of Washington. ECF No. 5 at 1. Having shown good cause, the Court finds

ORDER DISMISSING ACTION -- 1

1 it appropriate to grant Plaintiff's Motion and to dismiss this action without
2 prejudice pursuant to Fed. R. Civ. P. 41(a).

3 According, **IT IS ORDERED:**

4 **1.** The construed Motion to Voluntarily Dismiss, **ECF No. 5**, is
5 **GRANTED.**

6 **2.** This action is **DISMISSED** without prejudice to Plaintiff filing a new
7 and separate action in the Western District of Washington.

8 **3.** All other pending Motions, **ECF Nos. 2 and 3**, are **DENIED AS**
9 **MOOT.**

10 **4.** The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal
11 of this Order would not be taken in good faith and would lack any arguable basis in
12 law or fact.

13 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order,
14 **enter judgment**, provide copies to Plaintiff, and **CLOSE** the file.

15 **DATED** May 9, 2025.

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17 
18 REBECCA L. PENNELL
19 UNITED STATES DISTRICT JUDGE
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